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18 *Attorneys for Defendant*
19 *NETFLIX, INC.*

20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**

22 LAURI VALJAKKA,

23 *Plaintiff,*

24 v.

25 NETFLIX, INC.,

26 *Defendant.*

Case No. 4:22-cv-01490-JST

**DECLARATION OF ELISE EDLIN IN
SUPPORT OF DEFENDANT NETFLIX,
INC.'S UNOPPOSED MOTION FOR
LEAVE TO AMEND ITS ANSWER AND
COUNTERCLAIMS**

Judge: Hon. Jon S. Tigar

1 I, Elise Edlin, hereby declare:

2 1. I am an attorney with the law firm Perkins Coie LLP, based in San Francisco,
3 California, and counsel representing Defendant Netflix, Inc. I have personal knowledge of the
4 facts set forth in this declaration and am competent to testify.

5 2. I am submitting this declaration in support of the Defendant Netflix, Inc.'s
6 Unopposed Motion for Leave to Amend its Answer and Counterclaims.

7 3. Netflix recently uncovered new evidence to support an affirmative defense and
8 counterclaim of inequitable conduct, as well as Netflix's previously asserted unclean hands
9 defense, invalidity defenses, and counterclaims.

10 4. In the past two weeks, Netflix has taken depositions (including a third-party
11 deposition conducted abroad) that revealed evidence surrounding Mr. Valjakka's intent regarding
12 certain statements made to the PTO. Netflix deposed Mr. Valjakka on June 1, 2023 and June 2,
13 2023, and Netflix deposed Mr. Iiro Karesniemi on June 7, 2023. These depositions revealed facts
14 that support a plausible inference that Mr. Valjakka knowingly made material misrepresentations
15 to the PTO.

16 5. The parties met and conferred on June 14, 2023 regarding the motion, and Plaintiff
17 confirmed he would not oppose the motion on June 16, 2023.

18 6. Attached as Exhibit A, ECF No. 101-1, is a true and correct copy of Defendant
19 Netflix, Inc.'s First Amended Answer to Plaintiff's Third Amended Complaint, Additional
20 Defenses, and Counterclaims, dated June 16, 2023.

21
22 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true
23 and correct to the best of my knowledge.

24 Executed on June 20, 2023 in Oakland, California.

25
26 /s/ Elise Edlin
27 Elise S. Edlin
28